

December 30, 2013

Lawsuit: CertainTeed Fiber Cement Siding Litigation, MDL Docket No. 2270

Name: Rob and Judy Fender

Current Address: P.O. Box 445
3223 Hickman Pl.
Julian, CA 92036
(760) 765-2506 home / (760)703-8160 cell

Address of Property: 3223 Hickman Pl.
Julian, CA 92036

Number of Units / Type of Property: Single Family Residence

Written Statement of Objection:

We are putting forth this objection to the lawsuit to "INCLUDE" the exterior finish (paint / stain) of the CertainTeed siding material. Being that the paint / stain was factory applied, and appeared on the job site already finished, we feel that the paint / stain should be included in the lawsuit. Since the existing lawsuit includes the shrinking and warping of the cement material, it would be appropriate to consider the finish on the cement siding as part of the lawsuit as well. Applied materials (paint / stain) will exhibit different characteristics than that of the cement siding material. If the base material shrinks, then the surface area that the applied finish (paint / stain) is attached to will also change in shape and size. Expansion and contraction of this base cement material will provide for a differential between the applied finish material and how the finish material adheres to its base. Over time, this expansion and contraction will eventually affect the ability of the applied finish to hold its position and not separate from the cement base material. If the expansion and contraction or shrinking and warping of the cement material is not considered when the finish (paint and stain) is applied, then the properties of the finish will not be designed in such a way to accept this planned change in shape. This could be the reason for the cracking, checking, flaking, and chipping of the paint / stain materials applied to the cement base material.

Notice to Appear: Not planning on appearing and hope the law firm representing the class action would consider including this aspect in the lawsuit.

Copies of Supporting Documentation:

Below is a copy and paste, from what we feel is the documentation provided at the time of our purchase of the cement siding. The highlighted (yellow) section is our best guess as to what was covered for our material. Although it is only a 12 year limited warrantee, the condition started a few years ago (only about 5 years into the warranty period), the condition continues to worsen.

CertainTeed WeatherBoards FiberCement Siding.

THE BEST-LOOKING, FINEST-PERFORMING PRODUCT OF ITS KIND.

CERTAINTEED WEATHERBOARDS SIDING is the finest fiber cement siding you can buy. It's because we've spent the better part of 100 years creating home building products that stand the test of time. Products that hold up under scrutiny. And look good doing it. A BEAUTIFUL HOME is a joy forever.

Our fiber cement siding dramatically enhances the look of your home. It's available in a stunning array of colors and optional shapes that make a real statement about your style.

Your home deserves the great looks and long-lasting durability of CertainTeed WeatherBoards siding, the finest fiber cement siding on the market.

CertainTeed WeatherBoards FiberCement Siding Works Better. OUR BEAUTY IS MORE THAN SKIN DEEP.

CERTAINTEED WEATHERBOARDS SIDING features the most authentic wood grain in the industry, so you can enjoy

the lasting features and handsome appearance of wood without all the upkeep. But the real difference between

CertainTeed WeatherBoards and similar products is actually in the material. It's stronger. Built to take on the elements and then some.

LOOKS BETTER

- Deeper, more authentic wood grain
- A complete system of siding, decorative shapes, soffit and trim
- A variety of textures, profiles and colors to match virtually any design style

LASTS LONGER

- Higher interlaminar bond strength means superior freeze/thaw protection
- FiberTect® Sealant/Primer protects against damaging moisture
- Resists everyday bumps and harmful impacts
- 50-year limited transferable warranty*

*See actual warranty for details and conditions

OUTPERFORMS THE OTHERS

Fiber cement siding continually earns recognition for the highest appeal and performance. It consistently outperforms wood and other siding.

- Consistent quality and excellent dimensional stability
- Class 1(A) Fire Rating
- Impervious to wood-boring insects
- Resists damaging effects of salt spray and UV rays
- Will not rot

CertainTeed WeatherBoards FiberCement Siding Creates Intensity.

SOMETIMES A TINT OF COLOR MAKES ALL THE DIFFERENCE

When you want the subtle elegance of stained wood without the worries, CertainTeed WeatherBoards Stain Siding has you covered.

Our fiber cement siding is available prefinished in your choice of six premium stains. It features a 100% acrylic latex coating that protects the finish against the elements: rain, sleet, snow and wind. Even the sun won't cause it to crack, peel or flake.

Stain coatings are machine-applied to FIBERTECT®-sealed WeatherBoards siding. These stains feature a 12-YEAR LIMITED COATING WARRANTY* .

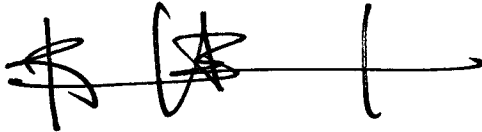
So if you want to simulate the natural beauty of wood with siding that's easy to maintain, choose WeatherBoards Stain FiberCement Siding
8-1/4" WeatherBoards Stain siding with the Redwood finish. Stains have a 12-year coating warranty.

CertainTeed WeatherBoards FiberCement Siding Colors Your World.
OUR GALLERY OF COLORS WILL TRANSFORM YOUR HOME INTO A WORK OF ART.
Go ahead. Express yourself. Let your personality shine through with our beautiful collection of colors.

Create your own personal palette that's warm and traditional. Or do you prefer colors that are bold and dramatic? Maybe dark and classic is more your style.
Whatever your preference, you can paint your FiberTect®-sealed WeatherBoards siding any color you want. Better yet, choose from the selection of designer colors offered by the WeatherBoards Prefinish Service.

The PREFINISH topcoat is a highly protective coating developed for CertainTeed WeatherBoards FiberCement Siding. It is factory-applied over FIBERTECT® Sealant, and offers an outstanding COATING WARRANTY of up to 25 YEARS, depending on options selected.*

Signature: Rob Fender Architect / Owner

A handwritten signature in black ink, appearing to read 'Rob Fender', followed by a horizontal line and a vertical stroke.